ALTA/NSPS LAND TITLE SURVEY

Known as 1819 Witzel Avenue, in the City of Oshkosh, Winnebago County, Wisconsin.

PARCEL 6:

That part of the North West 1/4 of the SOUTH WEST 1/4 of Section 22, T18N, R16E, in the Sixth Ward, City of Oshkosh, Winnebago County, Wisconsin, which is bounded and described as follows:
Commencing at the West 1/4 corner of said Section 22; thence south 89 degrees 13 minutes 00 seconds east, along the North line of the South West 1/4 of Section 746.68 feet; thence south 00 degrees 42 minutes 32 seconds west 33.48 feet, to a point on the South line of Witzel Avenue and the Northeast corner of Lot 1 in Certified Survey Map No. 3225; thence north 89 degrees 13 minutes 00 seconds west, along the North line of Lot 1 of Certified Survey Map No. 3225 and the South line of Witzel Avenue, 20.66 feet; thence south 82 degrees 10 minutes 23 seconds west, along said line, 135.84 feet, to the Northwest corner of Lot 1 of Certified Survey Map No. 3225 and the point of beginning of the parcel to be described; thence south 00 degrees 42 minutes 32 seconds west, along the West line of said Lot, 256.00 feet; thence south 89 degrees 07 minutes 37 seconds east, along the South line of said Lot, 155.00 feet; thence south 00 degrees 42 minutes 32 seconds west 51.06 feet; thence north 89 degrees 07 minutes 37 seconds west 416.30 feet to a point of the East line of South Koeller Street; thence north 38 degrees 02 minutes 45 seconds east, along said line, 24.99 feet; thence northeasterly 277.21 feet along said line and the arc of a curve whose center lies to the Northwest whose radius is 647.96 feet and whose chord bears north 18 degrees 25 minutes 35 seconds east 275.10 feet; thence north 82 degrees 10 minutes 23 seconds east, along the South line of said Witzel Avenue, 164.35 feet, to the point of beginning.

Prepared for: Landmark Limited Partnership IV

Survey No. 167186-RMK

A. Basis of Bearings
Bearings are based on the North line of the Southwest 1/4 of Section 22, Township 18 North, Range 16 East, which is assumed to bear South 89°13'00" East.

B. Title Commitment
This survey was prepared based on Schmitt Title, LLC an agent for First American Title Insurance Company title commitment number 717060116, effective date of June 15, 2017, which lists the following easements and/or restrictions from schedule B-II:

1-4, 9, 10, 46, 48-52. Not survey related.

5-8. Visible evidence shown, if any.

11-12, 14-15, 17-28, 30-32, 34-36, 38, 40-41, 44-45, 47. Affects Parcels 1 thru 5 and Parcels 7 thru 10, not included in this survey.

13. Restatement of Deed of Declaration contained in Instrument, dated April 24, 1972 and recorded in the office of the Register of Deeds for Winnebago County, Wisconsin on May 31, 1972 in Volume 1342 on Page 548 as Document No. 421441. First Amendment to Restatement of Deed of Declaration contained in Instrument by and between Landmark Limited Partnership III, a Wisconsin Limited Partnership, Spicer Enterprises, Inc., a Wisconsin corporation, Thomas S. Timmers, John Pfefferle, Harry J. Wendlandt and Thomas J. Janssen, dated October 17, 1986 and recorded in the office of the Register of Deeds for Winnebago County, Wisconsin on May 19, 1987 as Document No. 680392. Agreement contained in Instrument executed by and between The Marcus Corporation, a Delaware Corporation on behalf of itself and all of its subsidiaries, including Oshkosh Theatres Corporation, a Wisconsin corporation and Spencer's Oshkosh Bowl, Inc. and Spencer's Kenosha Bowl, Inc., both of which are Wisconsin corporations, jointly and severally, dated September 7, 1978 and recorded August 3, 1979 as Document No. 537740. Affects site by location - General in nature, see drawing detail.

16. Reciprocal Easement and Restriction Agreement contained in Instrument by and between 44 Drive-In Theatre, Inc., a Wisconsin corporation, S-M., Inc. of Oshkosh, a Wisconsin corporation and Roger E. Benjamin, Trustee (The Trustee), dated July 16, 1971 and recorded in the Office of the Register of Deeds for Winnebago County, Wisconsin on July 29, 1971 in Volume 1313 Page 117 as Document No. 410187. (Parcels 1, 2 and 6) Affects site by location - General in nature, see drawing detail.

29. Gas Main Easement contained in Instrument by and between Freeway Enterprises, a Partnership and Wisconsin Public Service Corporation, a Wisconsin corporation dated December 12, 1983 and recorded in the Office of the Register of Deeds for Winnebago County, Wisconsin on December 20, 1983 as Document No. 603035. (Parcel 1, 2 and 6) Affects site by location - Shown.

33. Parking Easement and Maintenance Agreement contained in Instrument by and between Landmark Limited Partnership III, U.S. Oil Co., Inc., Jou Ming Sang and Chow Yuk Chuen, as tenants in common, B&G Realty, Inc. and Appleton Theatres Corporation f/k/a Oshkosh Theatres Corporation dated May 31, 1996 and recorded in the Office of the Register of Deeds for Winnebago County, Wisconsin on July 30, 1996 as Document No. 943969. (parcels 1, 2 and 6) Affects site by location - General in nature, see drawing detail.

37. Cable Television Installation Agreement contained in Instrument by and between Cablevision, a division of Time Warner Cable, a division of Time Warner Entertainment Company, L.P. and Landmark Limited ill dated March 24, 1994 and recorded in the Office of the Register of Deeds for Winnebago County, Wisconsin on June 28, 1994 as Document No. 880219. Affects site by location - General in nature, cannot be plotted.

39. Parking Lot Agreement contained in Instrument executed by and between Landmark Limited Partnership III, a State of Wisconsin Limited Partnership and U.S. Oil Co., Inc., a Wisconsin Domestic Corporation dated June 20, 1995 and recorded July 11, 1995 as Document No. 909272. Affects site by location - General in nature, cannot be plotted.

42. Covenants, Conditions and Restrictions set forth in Quit Claim Deed executed by The State of Wisconsin (Department of Transportation) to Freeway Enterprises, a partnership dated December 15, 1978 and recorded in the Office of the Register of Deeds for Winnebago County, Wisconsin on December 29, 1978 as Document No. 527797. (Parcels 2 and 6) Use restriction - General in nature, cannot be plotted.

43. Permanent Limited Easement contained in Instrument by and between Landmark Limited Partnership IV and State of Wisconsin, Department of Transportation, dated June 5, 2008 and recorded September 15, 2008 as Document No. 1483123. (Parcel 2 and 6) Affects site by location - Shown.

C. Flood Note
According to flood insurance rate map of the City of Oshkosh, community panel number 55139C0215E, effective date of March 17, 2003, this site falls in zone X (areas determined to be outside the 0.2% annual chance floodplain)

D. Parking Spaces
There are 15 regular and 2 handicapped parking spaces marked on this site.

G. Notes
In accordance with Chapter A-E 7.01 (2) of the Wisconsin Administrative Code, R. A. Smith National, Inc. has executed an agreement to waive the setting of monuments on the above described property. Signatures on file with Surveyor.

This property does not have direct access to a public street. People need to drive thru Landmark Plaza to get to this property.

To: Landmark Limited Partnership IV; End Game, LLC, Schmitt Title, LLC and First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items 2, 3, 4, 7(a), 7(b)(1), 7(c), 8, 9 and 20 of Table A thereof. The fieldwork was completed on July 13, 2017.

Date of Plat or Map: July 19, 2017

Stephan G. Southwell
Professional Land Surveyor
Registration Number 1939
steve.southwell@rasmithnational.com

WISCONSIN STEPHAN G. SOUTHWELL S-1939 MEQUON WI LAND SURVEYOR

R.A. Smith National, Inc.

Beyond Surveying and Engineering

16745 W. Bluemound Road, Brookfield WI 53005-5938
262-781-1000 Fax 262-797-7373, www.rasmithnational.com
Appleton, WI Irvine, CA Pittsburgh, PA

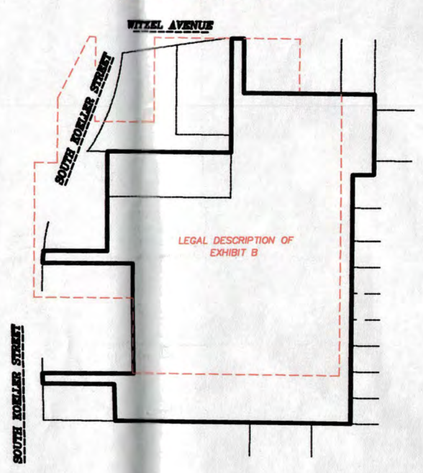
S:\5167186\dwg\AS101D30.dwg\1819 WITZEL AVE

SHEET 1 OF 1

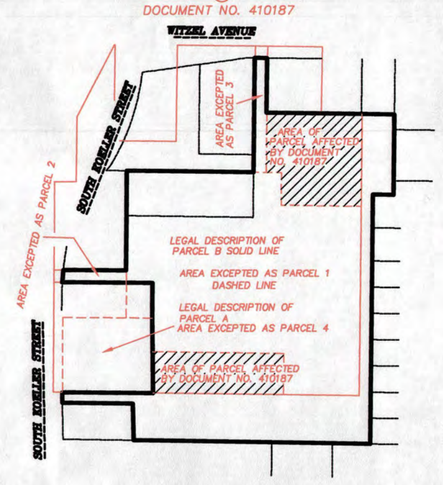
R.A. Smith National, Inc.

VICINITY MAP
NOT TO SCALE

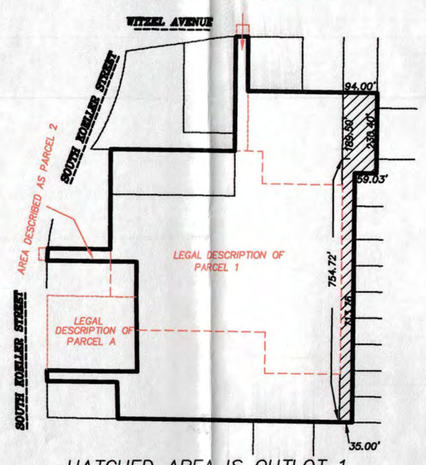
DETAIL (NOT TO SCALE)
(13)
DOCUMENT NO. 421441
DOCUMENT NO. 680392



DETAIL (NOT TO SCALE)
(16)
DOCUMENT NO. 410187

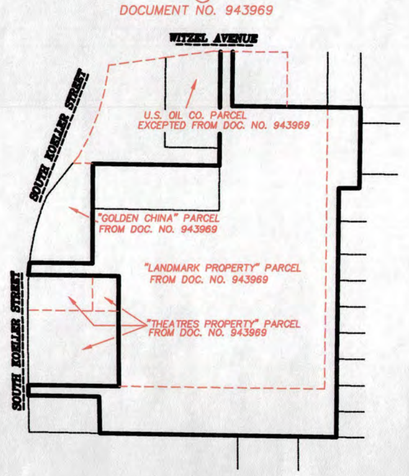


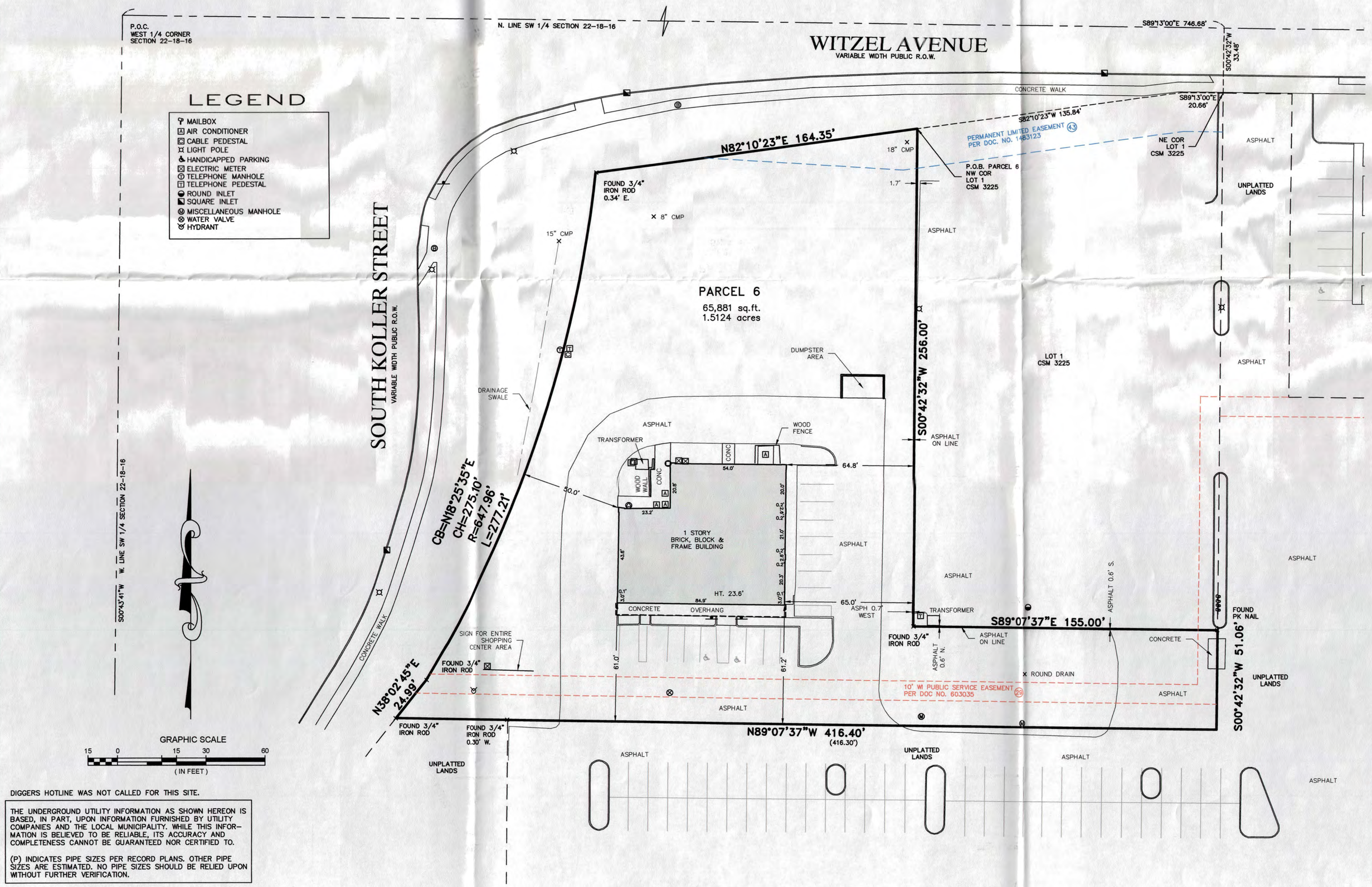
DETAIL (NOT TO SCALE)
(13)
DOCUMENT NO. 537740



HATCHED AREA IS OUTLOT 1

DETAIL (NOT TO SCALE)
(53)
DOCUMENT NO. 943969





DIGGERS HOTLINE WAS NOT CALLED FOR THIS SITE.

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

(P) INDICATES PIPE SIZES PER RECORD PLANS. OTHER PIPE SIZES ARE ESTIMATED. NO PIPE SIZES SHOULD BE RELIED UPON WITHOUT FURTHER VERIFICATION.

S:\5167186\dwg\AS101D30.dwg, 1819 WITZEL AVE, 7/19/2017 11:05:55 AM, rmk